

Trade Secret Certification

Information submitted by a business or individual that is seeking or has received financial assistance under the Department of Commerce's economic development programs is subject to Wisconsin's Open Records Law. While Commerce recognizes that businesses and individuals may submit material that they feel is confidential, the department can only withhold information that qualifies as a **TRADE SECRET** under state law. Section 19.36(5), Stats., defines **TRADE SECRET** as follows:

TRADE SECRET means information, including a formula, pattern, compilation, program, device, method, technique or process to which all of the following apply:

- A. The information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use.
- B. The information is the subject of efforts to maintain its secrecy that are reasonable under the circumstances.

To facilitate compliance with the Wisconsin Open Records Law, Commerce asks that you use the following chart to identify information that should be treated as **TRADE SECRET** material.

	Yes	No	NA
A. Personal financial statements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Personal or business tax returns.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Historical business financial statements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Business financial projections.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Other Items Listed below:			

If the above chart is blank, then all information provided to Commerce will be open to public examination and copying.

In the event that an items qualification as **TRADE SECRET** is challenged, the applicant agrees to defend, indemnify and hold Commerce harmless in any civil action or proceeding resulting from an Open Record Request.

Print Name of Business or Individual

Signature of Authorized Representative

Date

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